



1997 SENATE BILL 401

January 15, 1998 - Introduced by Senator RISSER, cosponsored by Representatives BOYLE, TURNER and LORGE. Referred to Committee on Labor, Transportation and Financial Institutions.

- 1 **AN ACT to create** 285.38 of the statutes; **relating to:** the delivery for sale in this
2 state of zero emission motor vehicles.

Analysis by the Legislative Reference Bureau

Under this bill, beginning with model year 2003, motor vehicle manufacturers are required to deliver for sale in this state a specified number of passenger cars and light trucks that are zero emission vehicles. A zero emission vehicle is a motor vehicle that is certified by the California air resources board to produce no emissions of certain air pollutants. A fuel-fired heater does not prevent a motor vehicle from being certified to be a zero emission vehicle if the heater cannot be operated when the air temperature is above 40 degrees fahrenheit and the heater does not produce air pollution by evaporation of the fuel.

The number of zero emission vehicles that a manufacturer must deliver in this state in a model year equals 10% of the total number of passenger cars and light trucks delivered for sale in this state in that model year. The requirement to deliver zero emission vehicles does not apply to certain small manufacturers (based on motor vehicle sales in California).

If a motor vehicle manufacturer fails to deliver the required number of zero emission vehicles for a model year, the manufacturer may make up the deficit by submitting zero emission vehicle credits, earned by that manufacturer or acquired from another manufacturer, that are earned by delivering more than the required number of zero emission vehicles for any model year through the model year following the one in which the manufacturer had a deficit.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 285.38 of the statutes is created to read:

2 **285.38 Zero emission vehicles. (1)** In this section:

3 (a) “Light-duty truck” means a motor vehicle that has a manufacturer’s gross
4 vehicle weight rating of 6,000 pounds or less and that is designed primarily for
5 purposes of transportation of property, is derivative of a motor vehicle that is
6 designed primarily for purposes of transportation of property or is available with
7 special features enabling off-street or off-highway operation or use.

8 (b) “Medium duty vehicle” means a motor vehicle with a manufacturer’s gross
9 vehicle weight rating of more than 6,000 pounds and not more than 14,000 pounds
10 and that is not a passenger car.

11 (c) “Small volume manufacturer” means a motor vehicle manufacturer that
12 satisfies the criteria in 13 California code of regulations 1960 (n).

13 (d) “Zero emission vehicle” means a motor vehicle that is certified by the
14 California air resources board to satisfy the requirements in note 2.1 to the table in
15 13 California code of regulations 1960. 1 (g) (1) or in note 2.1 to the table in 13
16 California code of regulations 1960. 1 (h) (2).

17 **(2)** Except as provided in sub. (4), in each model year beginning with model year
18 2003, each motor vehicle manufacturer, other than a small volume manufacturer,
19 shall deliver for sale in this state the number of zero emission vehicles that are
20 light-duty trucks with a manufacturer’s gross vehicle weight rating of 3,750 pounds
21 or less or passenger cars that is equal to at least 10% of the total number of light-duty

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1 trucks with a manufacturer's gross vehicle weight rating of 3,750 pounds or less and
2 passenger cars of that model year delivered by the manufacturer for sale in this state.

3 (4) (a) A motor vehicle manufacturer may satisfy a deficiency under sub. (2) for
4 a model year by submitting, no later than the end of the next model year, a number
5 of zero emission vehicle credits, earned under par. (b), equal to the number of zero
6 emission vehicles of that model year that the manufacturer is required, under sub.
7 (2), to deliver for sale in this state less the number of zero emission vehicles of that
8 model year actually delivered by the manufacturer for sale in this state. The credits
9 may be earned by the manufacturer with a deficiency or be acquired from another
10 manufacturer.

11 (b) The department shall grant to a motor vehicle manufacturer the number
12 of zero emission vehicle credits equal to the number of zero emission vehicles of a
13 model year delivered by the manufacturer for sale in this state less the number of
14 zero emission vehicles of that model year that the manufacturer is required, under
15 sub. (2), to deliver for sale in this state. A manufacturer may earn zero emission
16 vehicle credits before the 2003 model year.

17 (5) The department shall count a zero emission vehicle that is a light-duty
18 truck with a manufacturer's gross vehicle weight rating of over 3,750 pounds or a
19 medium-duty vehicle toward the requirement under sub. (2) or in the calculation of
20 zero emission credits under sub. (4) (b) at the request of the manufacturer of the zero
21 emission vehicle.

22 (END)